

Remark

Applicants respectfully request reconsideration of this application as amended. Claims 1 and 31 have been amended. No Claims have been cancelled. Therefore, claims 1-44 are present for examination.

Double Patenting

The Examiner has rejected claims 1-44 under judicially created doctrine of obviousness type double patenting as being unpatentable over claims 12-29 of U.S. Patent No. 6,775,129. A terminal disclaimer is enclosed herewith.

35 U.S.C. §102 Rejection*Cipolla*

The Examiner has rejected claims 1-2, 8-12, 31-35 under 35 U.S.C. §102 (b) as being anticipated by Cipolla, U.S. Patent No. 6,097,595 ("Cipolla"). Cipolla shows a portable PC in a conventional format with legs that extend to raise a portion of the base for cooling.

Considering, for example Claim 1, Cipolla does show a display housing and a base comprising a keyboard. It is not suggested nor likely, however, that the display housing comprises a CPU. Conventionally all of the display electronics are included in the portion with the keyboard.

Claim 1 next refers to a base flap. The Examiner has identified this as item 14, connected to display housing 12, but has not identified the base, independent of the base flap. According to Claim 1, the base flap is pivotally attached to the display housing and to the base. In Cipolla, there is only one pivotal attachment and this is between housing 14 and display 12. Accordingly, there is no third element pivotally attached to both.

Claim 31 is similar to Claim 1 in many respect and is believed to be allowable on the same grounds. Claim 31 additionally describes a tablet position "position exposing the display and covering the keyboard" Cipolla is incapable of any position in which the display is exposed and the keyboard is covered.

These are just some of the distinctions between the claim and Cipolla. Claims 1 and 31 are believed to be allowable on these and other grounds. The dependent claims present additional differences which are not discussed here in the interests of brevity.

35 U.S.C. §103 Rejection

Cipolla in view of Rezek

The Examiner has rejected claims 3-7 under 35 U.S.C. §103 (a) as being unpatentable over ("Cipolla"), in view of Rezek, U.S. Patent No. 5,321,420, ("Rezek"). Applicants respectfully submit that Rezek is directed to electronic measurement systems such as spectrum analyzers for cellular telephone equipment. There is no suggestion of any pivotal connections nor of a display with a CPU. Accordingly, Rezek is not within the scope of the prior art that might be known to a person of average skill in the art of the present invention.

In addition is not cited for and neither teaches nor suggests the elements described above as missing from Cipolla. Accordingly, these rejections are respectfully traversed.

35 U.S.C. §103 Rejection***Cipolla in view of Rosenberg***

The Examiner has rejected claims 18-28 under 35 U.S.C. §103 (a) as being unpatentable over ("Cipolla"), in view of Rosenberg et al., U.S. Patent No. 6,429,846, ("Rosenberg"). Rosenberg simply shows a conventional PDA with a touch screen operable by e.g. a stylus. Rosenberg does not show a base with a keyboard not a base flap. Cipolla shows a base 14 with a keyboard but also does not show a base flap to removably attach the base to the display. Accordingly, the cited combination does not show all of the elements of claims 18-28 neither alone, nor in combination

Allowable Subject Matter

Claims 13-17 and 36-44 were indicated as allowable. These claims remain in the application. Applicants thank the Examiner for the careful reading of these claims.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

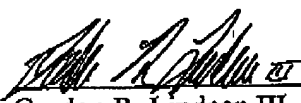
Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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